



## Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact [support@jstor.org](mailto:support@jstor.org).

## BOOK REVIEWS.

FRANCIS GOERTNER, *Editor-in-Charge.*

CASES ON LEGAL ETHICS. By GEORGE P. COSTIGAN, JR. American Case Book Series. St. Paul: WEST PUBLISHING Co. 1917. pp. xxvii, 616.

In its report to the American Bar Association, at Saratoga, September, 1917, the Committee on Professional Ethics refers to the above book as epochal.

Year after year, in corresponding with the deans of law schools in the State of New York, the similar committee of the State Bar Association was met by the assertion that there was little material to use in any course on Legal Ethics, and that "sermons on moral conduct" were out of place, when *men* were preparing for their life work! Prof. Costigan has by the wealth of content of his book controverted the one excuse and by its character destroyed the other.

The scope of the volume is comprehensive: historical—analytic, careful selection of judicial decisions, and, most interesting of all, adequate references to the deliverances by Bar Councils or Committees on the propriety of professional conduct under given circumstances.

*Historical*.—By tracing the life of the profession back to its genesis, and by careful notation of developmental crises or milestones in the status or functions of the lawyer, the reason for many present day ideas as to his rights or duties is made clear.

*Analytic*.—Taking up the many sided life of the practitioner, the author develops the nature and extent of the obligations under which he lies towards community, clients and courts.

He early deals with the right to practice, how secured and how lost. The lawyer as an officer of the courts, enjoying a privilege or license, under an oath, has obligations higher than those of a mere member of the business community, or, rather, more specifically enforceable.

*Cases*.—To illustrate every material point in the treatise the author exhibits the painstaking and thorough nature of his research. Cases, and notes to cases, have been ransacked and excerpted so as to afford authoritative, because well-reasoned, material to guide the profession and the bench in cases involving professional ethics. These cases in turn disclose an historical development of standards, never, it may be said, higher than today.

*Bar decisions*.—In England, the General Council of the Bar (see pp. 23-24) and, in this country, the Committee on Professional Ethics of the New York County Lawyers' Association (see p. x), are promulgating decisions each in the nature of *arbitrium boni viri* on specific instances of conduct, and passing on their propriety. These decisions or answers to questions are rightly deemed of the highest

importance by the author and are cited wherever relevant to the topics in hand.

*Instructional value of the work.*—The fact of its publication in the case book series is sufficient voucher of its authoritativeness. But when a book is to be used by students it must also be beguiling. It must be interesting. The law student is not yet a lawyer. He has not yet learned how to run a question down. He should be coaxed, by the author's style, to turn the next page. This is one of the chief recommendations of Prof. Costigan's treatment.

The student who starts in to read will be fascinated and led on to the end—and then he will find the Fifty Resolutions of David Hoffman, and the Ninety-two A. B. A. Canons, the latter with helpful annotations.

The outstanding feature of the work as a whole is that it discloses the existence of a common law ethic, inherent in the life of the profession *ab ovo*, and disclosed by successive judicial expositions from time to time. The disbarment cases of today are no modern invasion or limitation of the rights of a guild; but the continuing application of standards implicit in the fundamental conceptions of the profession as one of high dignity and honor—*Noblesse oblige* is no merely mediaeval motto. It is a vital and essential element of our profession.

Whether the book be required in a law school course or not the students should buy or procure the book and digest and *assimilate* its contents. But the busy practitioner as well will find it valuable, stimulating, "stirring up his pure mind by way of remembrance," instructive.

The foot notes are an additionally valuable feature, and the author does not scorn current literature in aid of his exposition (e. g. "Life Story &c" from Everybody's, p, 369). The table of cases is properly differentiated from a table of "other authorities" (xxiii-xxvii).

The book is a milestone of progress, and its author has laid the profession and the law student body under a gratifying obligation, of which appreciation is the earliest payment due.

Henry W. Jessup.

THE LAW APPLIED TO MOTOR VEHICLES. By CHARLES J. BABBITT. 2nd Edition, By ARTHUR W. BLAKEMORE. Washington: JOHN BYRNE & Co. 1917. pp. cxxvi, 1262.

In the preface to the second edition, assurance is given that the original text was received with such favor as to justify its "perpetuation", although "the development of the law has made necessary the introduction of entirely new topics." Mr. Blakemore confesses that he has found the task of combining the new decisions with the late Mr. Babbitt's text a perplexing one.

We do not doubt this, for the book is not a systematic treatise, and the cases which have grown out of motor vehicle controversies involve questions of the most diverse character. These cases, as our authors declare, are numerous and are increasing rapidly, but they are not resulting in the development of a well-defined body of legal doctrine. There is no such thing as "A Law of Motor Vehicles". This is indicated in the title—"The Law Applied to Motor Vehicles."